



IN THE CIRCUIT COURT OF FRANKLIN COUNTY, MISSOURI

Judge or Division:

Case Number: 14AB-CC00015

Case Name: JACKIE NICHOLAS V AMERICAN MODERN SELECT INS CO

Certificate of Clerk

I, BILL D. MILLER, Clerk of the CIRCUIT Court, of FRANKLIN County, which said court is a court of record, having a clerk and seal, certify that the attached is a true, accurate and complete copy of CONTENTS OF FILE 14AB-CC00015 in the above entitled case, as the same appears of record and on file in this office.

WITNESS my hand and the seal of the court affixed hereto on December 3, 2014.

Clerk Bill D. Miller

By: Donna Spunkhorst  
Deputy Clerk

(Seal of the Court)



State of Missouri

Department of Insurance, Financial Institutions and  
Professional Registration



TO: Corporate Secretary (or United States Manager or Last Appointed General Agent) of  
AMERICAN MODERN SELECT INSURANCE COMPANY  
7000 MIDLAND BLVD  
AMEILA, OH 45102-2607

FILED

NOV 21 2014

BILL D. MILLER, Circuit Clerk  
FRANKLIN COUNTY MISSOURI  
By \_\_\_\_\_ D.C.

RE: Court: Franklin Co. Circuit Court, Case Number: 14AB-CC00015

You will take notice that original process in the suit against you, a copy of which is attached hereto and sent to you by certified mail, was duly served upon you at Jefferson City, Missouri, by serving the same on the Director of the Department of Insurance, Financial Institutions and Professional Registration of the state of Missouri, Dated at Jefferson City, Missouri this 7th day of November, 2014.

*John M. Miller*

Director of Insurance, Financial Institutions  
and Professional Registration

AFFIDAVIT

State of Missouri,

ss.

County of Cole,

The undersigned Director of the Department of Insurance, Financial Institutions and Professional Registration or the Director's designated agent, hereby makes oath and certifies the original of the above notice to the above addressee was mailed at the United States Post Office in Jefferson City, Missouri on November 7, 2014 by first class certified mail prepaid as provided by section 375.906.5, RSMo. and Supreme Court Rule 54.15

Director, Department of Insurance, Financial Institutions and  
Professional Registration

By: *Kevin Sanders*

Subscribed and sworn to before me this 7th day of November, 2014

*Kathryn Latimer*  
Notary Public

My commission expires:



KATHRYN LATIMER  
My Commission Expires  
March 4, 2016  
Cole County  
Commission #12418395

UNITED STATES POSTAL SERVICE CH-452 10 NOV '14 PM 5 L		First-Class Mail Postage & Fees Paid USPS Permit No. G-10
• Sender: Please print your name, address, and ZIP+4® in this box•		
LEGAL SECTION MO. DEPARTMENT OF INSURANCE, FINANCIAL INSTITUTIONS & PROFESSIONAL REGISTRATION PO BOX 690 JEFFERSON CITY, MO 65102-0690		

PS Form 3811, July 2013 Domestic Return Receipt	
2. Article Number (Transfer from service label) 7014 1820 0002 0479 6469	
1. Article Addressed to: AMERICAN MODERN SELECT INSURANCE COMPANY 7000 MIDLAND BLVD AMHERST, OH 43102-2607	
■ Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. ■ Print your name and address on the reverse so that we can return the card to you. ■ Attach this card to the back of the mailpiece, or on the front if space permits.	
SENDER: COMPLETE THIS SECTION	
COMPLETE THIS SECTION ON DELIVERY	
A. Signature 	B. Received by (Printed Name) 
C. Date of Delivery 11-10-14	D. Is delivery address different from item 1? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If YES, enter delivery address below:
3. Service Type <input checked="" type="checkbox"/> Certified Mail® <input type="checkbox"/> Registered <input type="checkbox"/> Insured Mail <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Priority Mail Express™	
4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes <input type="checkbox"/> No	



## IN THE 20TH JUDICIAL CIRCUIT COURT, FRANKLIN COUNTY, MISSOURI

Judge or Division: GAEL D. WOOD	Case Number: 14AB-CC00015
Plaintiff/Petitioner: JACKIE NICHOLAS	Plaintiff's/Petitioner's Attorney/Address: BRADLEY S. DEDE 222 S MERAMEC SUITE 205 CLAYTON, MO 63105
Defendant/Respondent: AMERICAN MODERN SELECT INSURANCE CO	Court Address: 401 EAST MAIN ST, RM 100A UNION, MO 63084
Nature of Suit: CC Chptr 536 State Agcy Rvw	

FILED

NOV 14 2014

BILL D. MILLER, Circuit Clerk  
FRANKLIN COUNTY, MISSOURI

RECEIVED

NOV 06 2014

COLE COUNTY  
SHERIFF'S OFFICE

(Date File Stamp)

## Summons in Civil Case

The State of Missouri to: AMERICAN MODERN SELECT INSURANCE COMPANY

Alias:

DIRECTOR OF INSURANCE  
MISSOURI DEPARTMENT INSURANCE  
301 W HIGH STREET, RM 530  
JEFFERSON CITY, MO 65101

COURT SEAL OF



FRANKLIN COUNTY

You are summoned to appear before this court and to file your pleading to the petition, a copy of which is attached, and to serve a copy of your pleading upon the attorney for Plaintiff/Petitioner at the above address all within 30 days after receiving this summons, exclusive of the day of service. If you fail to file your pleading, judgment by default may be taken against you for the relief demanded in the petition.

11-04-2014

Date

Bill D. Miller

Clerk

Further Information:

## Sheriff's or Server's Return

Note to serving officer: Summons should be returned to the court within thirty days after the date of issue.

I certify that I have served the above summons by: (check one)

- ☐ delivering a copy of the summons and a copy of the petition to the Defendant/Respondent.
- ☐ leaving a copy of the summons and a copy of the petition at the dwelling place or usual abode of the Defendant/Respondent with \_\_\_\_\_ a person of the Defendant's/Respondent's family over the age of 15 years.
- ☒ (for service on a corporation) delivering a copy of the summons and a copy of the petition to

K. LANDERS

(name)

DEBOLUNSE

(title)

☐ other

Served at 301 W. HIGH (address)

in COLE (County/City of St. Louis), MO, on 11/7/14 (date) at 8:10 AM (time)

Printed Name of Sheriff or Server

Signature of Sheriff or Server

Must be sworn before a notary public if not served by an authorized officer:

(Seal)

Subscribed and sworn to before me on \_\_\_\_\_ (date).

My commission expires: \_\_\_\_\_

Date

Notary Public

## Sheriff's Fees

Summons \$ \_\_\_\_\_

Non Est \$ \_\_\_\_\_

Sheriff's Deputy Salary \$ \_\_\_\_\_

Supplemental Surcharge \$ 10.00

Mileage \$ \_\_\_\_\_ (\_\_\_\_\_ miles @ \$\_\_\_\_\_ per mile)

Total \$ \_\_\_\_\_

A copy of the summons and a copy of the petition must be served on each Defendant/Respondent. For methods of service on all classes of suits, see Supreme Court Rule 54.

11/13/14





## IN THE 20TH JUDICIAL CIRCUIT COURT, FRANKLIN COUNTY, MISSOURI

Judge or Division: GAEL D. WOOD	Case Number: 14AB-CC00015	(Date File Stamp)
Plaintiff/Petitioner: JACKIE NICHOLAS	Plaintiff's/Petitioner's Attorney/Address BRADLEY S. DEDE 222 S MERAMEC SUITE 205 CLAYTON, MO 63105	
Defendant/Respondent: AMERICAN MODERN SELECT INSURANCE CO	Court Address: 401 EAST MAIN ST, RM 100A UNION, MO 63084	
Nature of Suit: CC Chptr 536 State Agcy Rvw		

## Summons in Civil Case

The State of Missouri to: AMERICAN MODERN SELECT INSURANCE COMPANY  
Alias:

DIRECTOR OF INSURANCE  
MISSOURI DEPARTMENT INSURANCE  
301 W HIGH STREET, RM 530  
JEFFERSON CITY, MO 65101

COURT SEAL OF



FRANKLIN COUNTY

You are summoned to appear before this court and to file your pleading to the petition, a copy of which is attached, and to serve a copy of your pleading upon the attorney for Plaintiff/Petitioner at the above address all within 30 days after receiving this summons, exclusive of the day of service. If you fail to file your pleading, judgment by default may be taken against you for the relief demanded in the petition.

11-04-2014

Date

B. D. Miller

Clerk

Further Information:

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☐ leaving a copy of the summons and a copy of the petition at the dwelling place or usual abode of the Defendant/Respondent with \_\_\_\_\_ a person of the Defendant's/Respondent's family over the age of 15 years.  
☐ (for service on a corporation) delivering a copy of the summons and a copy of the petition to \_\_\_\_\_ (name) \_\_\_\_\_ (title).

☐ other \_\_\_\_\_ (address)

Served at \_\_\_\_\_ (County/City of St. Louis), MO, on \_\_\_\_\_ (date) at \_\_\_\_\_ (time).  
 in \_\_\_\_\_

Printed Name of Sheriff or Server

Signature of Sheriff or Server

Must be sworn before a notary public if not served by an authorized officer:

Subscribed and sworn to before me on \_\_\_\_\_ (date).

(Seal)

My commission expires: \_\_\_\_\_ Date \_\_\_\_\_ Notary Public

## Sheriff's Fees

Summons \$ \_\_\_\_\_  
 Non Est \$ \_\_\_\_\_  
 Sheriff's Deputy Salary \$ \_\_\_\_\_  
 Supplemental Surcharge \$ 10.00  
 Mileage \$ \_\_\_\_\_ (\_\_\_\_\_ miles @ \$\_\_\_\_\_ per mile)  
 Total \$ \_\_\_\_\_

A copy of the summons and a copy of the petition must be served on each Defendant/Respondent. For methods of service on all classes of suits, see Supreme Court Rule 54.

IN THE CIRCUIT COURT OF THE COUNTY OF FRANKLIN  
STATE OF MISSOURI

JACKIE NICHOLAS,

Plaintiff,

vs.

AMERICAN MODERN SELECT  
INSURANCE CO

Defendant.

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Case No. 14AB-CC00015

Division No.

**REQUEST FOR SUMMONS**

Comes now Plaintiff, by and through his attorney, and hereby requests a Summons to issue on Plaintiff's First Amended Petition to be served upon the Director of Insurance at Missouri Department of Insurance, 301 West High Street, Room 530, Jefferson City, Missouri 65101.

Respectfully Submitted,

BRADLEY S. DEDE, L.L.C.

By: E/S Bradley S. Dede  
Bradley S. Dede, #36103  
Attorney for Petitioner  
7710 Carondelet, Suite 105  
Clayton, MO 63105  
314-725-9700  
314-725-5967 (fax)  
bsdede@att.net

IN THE CIRCUIT COURT OF THE COUNTY OF FRANKLIN  
STATE OF MISSOURI

JACKIE NICHOLAS,

Plaintiff,

vs.

AMERICAN MODERN SELECT  
INSURANCE CO

SERVE:

Director of Insurance  
Missouri Department of Insurance  
301 West High Street, Room 530  
Jefferson City, MO 65101

Defendant.

Case No. 14AB-CC00015

Division No.

**PLAINTIFF'S FIRST AMENDED PETITION FOR DAMAGES**

Comes now Plaintiff, Jackie Nicholas, by and through her attorney of record and for her cause of action against Defendant, states and alleges and otherwise avers as follows:

1. Plaintiff is a resident of Franklin County, State of Missouri.
2. Defendant, American Modern Select Insurance Company, is an insurance company doing business and is good standing in the State of Missouri which can be served with process as referenced above with the Missouri Department of Insurance.
3. Jurisdiction and venue are proper in this court in that the facts claimed herein and are the subject of this litigation occurred in Franklin County, State of Missouri and the amount in controversy exceeds Twenty Five Thousand Dollars (\$25,000.00).

**COUNT I – BREACH OF CONTRACT**

Comes now Plaintiff by and through her attorney of record and for Count I on her claim for breach of contract states as follows:

4. Plaintiff hereby incorporates by reference each paragraph previously plead as if plead herein.

5. Plaintiff purchased a homeowner's insurance policy from Defendant insurance policy number 0047062965 for homeowner's coverage. That said policy was in effect from October 6, 2011 to October 6, 2012.

6. As such, the policy was in full force and effect on the date of the damages incurred by Plaintiff herein.

7. On Saturday, March 17, 2012, Plaintiff's property incurred severe hail storm damage to her vehicle and house.

8. That according to the terms of policy an adjuster would be dispatched by the insurance company to determine the nature and extent of the damages.

9. That no adjuster was timely dispatched to Plaintiff's property.

10. That several days lapsed until an adjuster and a roofer came to the property.

11. That the roofer as agent for the Defendant herein did not protect the roof and residence against further damage.

12. That weeks passed without proper attention by Defendant to the damages incurred by Plaintiff; the failure to fix the property damaged, resulting in further damage.

13. That during the time of the initial damage and the negligent and improper repair of the property, further storms occurred which was foreseeable and Plaintiff's property further sustained rain, wind, water, and storm damage which resulted in both damage to the interior and exterior including but not limited to floor, wall, ceiling, carpet, mold, odors, joists, studs, rafters, paint, sheet rock, items of furniture and other personal property.



14. That Plaintiff made numerous attempts to contact the insurance company and no response or repair was forthcoming.

15. All conditions precedent to the liability of Defendant under Plaintiff's policy had been met.

16. Plaintiff is legally owed benefits under her policy for the damages.

17. Defendant insurance company has breached its contract with the Plaintiff and is legally liable for the damages in this lawsuit.

18. That Plaintiff has made numerous attempts to demand a settlement for her claim under the provisions of the policy and Defendant refuses to perform under the contract.

19. That as a direct and proximate result of that breach, Plaintiff has been damaged in excess of Two Hundred Thousand Dollars (\$200,000.00).

Wherefore, Plaintiff prays for judgment against the Defendant insurance company for all amounts owed to her under the contract for insurance between the parties, in an exact amount for all her damages from the failure and breach of the contract that remain uncompensated and for such other and further relief as the court deems just and proper under the circumstances.

#### **COUNT II – VEXATIOUS REFUSAL TO PAY THE CLAIM**

Comes now Plaintiff, by and through her attorney of record and for Count II of Plaintiff's Petition for Damages against Defendant insurance company hereby states, alleges and otherwise avers as follows:

20. Plaintiff incorporates by reference each and every previously plead paragraph as if plead herein.

21. That Plaintiff issued a formal demand under the policy for the damages herein previously referred.

22. That Defendant insurance company has failed to make payments under and in accordance with the terms of the contract by Plaintiff.

23. Defendant insurance company's refusal to pay the loss incurred is without reasonable cause or excuse.

24. That Defendant's refusal to adjust and restore the damages under the policy is without excuse.

25. That pursuant to RSMo. §357.420 Plaintiff is entitled to in addition to all damages associated with Count I, twenty percent (20%) of the first Fifteen Hundred Dollars (\$1,500.00) of loss and ten percent (10%) of all losses greater than Fifteen Hundred Dollars (\$1,500.00) as well as Plaintiff's attorney's fees.

26. As a direct and proximately result of Defendant insurance company's refusal, Plaintiff is entitled to the additional damages in the amount of One Hundred Thousand Dollars (\$100,000.00).

Wherefore, as a result of the above, Plaintiff prays for judgment against Defendant insurance company in the amount of One Hundred Thousand Dollars (\$100,000.00) pursuant to RSMo. §357.420 and for such other further relief that this Court deems just and proper in the premises.

#### **DEMAND FOR JURY TRIAL**

27. Plaintiff demands a jury trial on all Counts of her petition for damages.

Respectfully Submitted,

BRADLEY S. DEDE, L.L.C.

By: Bradley S. Dede (clayton)

Bradley S. Dede, #36103  
Attorney for Petitioner  
222 S. Meramec, Suite 205  
Clayton, MO 63105  
314-725-9700  
314-725-5967 (fax)  
[bsdede@att.net](mailto:bsdede@att.net)



IN THE CIRCUIT COURT OF THE COUNTY OF FRANKLIN  
STATE OF MISSOURI

JACKIE NICHOLAS,

Plaintiff,

vs.

AMERICAN MODERN SELECT  
INSURANCE CO

Defendant.

Case No. 14AB-CC00015

Division No.

NOTICE OF HEARING

You are hereby notified that Petitioner will on the 23<sup>rd</sup> day of September, 2014, take up for hearing Plaintiff's Motion for Leave to File First Amended Petition in Division No. 1 of the Circuit Court for Franklin County, Missouri, at 10:30 a.m. or as soon thereafter as counsel may be heard, and requests the Court to make final disposition of same.

Respectfully Submitted,

BRADLEY S. DEDE, L.L.C.

By:



Bradley S. Dede, #36103

Attorney for Petitioner

7777 Carondelet, Suite 105

Clayton, MO 63105

314-725-9700

314-725-5967 (fax)

[bsdede@att.net](mailto:bsdede@att.net)






## IN THE 20TH JUDICIAL CIRCUIT COURT, FRANKLIN COUNTY, MISSOURI

Judge or Division: GAEL D. WOOD	Case Number: 14AB-CC00015	(Date File Stamp)
Plaintiff/Petitioner: JACKIE NICHOLAS	Plaintiff's/Petitioner's Attorney/Address BRADLEY S. DEDE 222 S MERAMEC SUITE 205 CLAYTON, MO 63105	
Defendant/Respondent: AMERICAN MODERN INSURANCE CO	Court Address: 401 EAST MAIN ST, RM 100A UNION, MO 63084	
Nature of Suit: CC Chptr 536 State Agcy Rvw		

## Summons in Civil Case

**The State of Missouri to:** AMERICAN MODERN INSURANCE CO  
**Alias:**  
 MISSOURI DEPARTMENT OF INSURANCE  
 301 WEST HIGH STREET, ROOM 530  
 JEFFERSON CITY, MO 65101

**COURT SEAL OF**  
  
**FRANKLIN COUNTY**

**You are summoned to appear before this court and to file your pleading to the petition, a copy of which is attached, and to serve a copy of your pleading upon the attorney for Plaintiff/Petitioner at the above address all within 30 days after receiving this summons, exclusive of the day of service. If you fail to file your pleading, judgment by default may be taken against you for the relief demanded in the petition.**

08-18-2014 \_\_\_\_\_  
 Date Clerk

Further Information: \_\_\_\_\_

## Sheriff's or Server's Return

**Note to serving officer:** Summons should be returned to the court within thirty days after the date of issue.

I certify that I have served the above summons by: (check one)

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☐ leaving a copy of the summons and a copy of the petition at the dwelling place or usual abode of the Defendant/Respondent with \_\_\_\_\_ a person of the Defendant's/Respondent's family over the age of 15 years.

☐ (for service on a corporation) delivering a copy of the summons and a copy of the petition to \_\_\_\_\_ (name) \_\_\_\_\_ (title).

☐ other \_\_\_\_\_ (address)

Served at \_\_\_\_\_ in \_\_\_\_\_ (County/City of St. Louis), MO, on \_\_\_\_\_ (date) at \_\_\_\_\_ (time).

\_\_\_\_\_  
 Printed Name of Sheriff or Server

\_\_\_\_\_  
 Signature of Sheriff or Server

**Must be sworn before a notary public if not served by an authorized officer:**

(Seal) Subscribed and sworn to before me on \_\_\_\_\_ (date).

My commission expires: \_\_\_\_\_ Date \_\_\_\_\_ Notary Public

<b>Sheriff's Fees</b>	
Summons	\$ _____
Non Est	\$ _____
Sheriff's Deputy Salary	\$ _____
Supplemental Surcharge	\$ 10.00
Mileage	\$ _____ (_____ miles @ \$._____ per mile)
<b>Total</b>	\$ _____

A copy of the summons and a copy of the petition must be served on **each** Defendant/Respondent. For methods of service on all classes of suits, see Supreme Court Rule 54.

IN THE CIRCUIT COURT OF THE COUNTY OF FRANKLIN  
STATE OF MISSOURI

JACKIE NICHOLAS,

Plaintiff,

vs.

AMERICAN MODERN SELECT  
INSURANCE CO

Defendant.

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Case No. 14AB-CC00015

Division No.

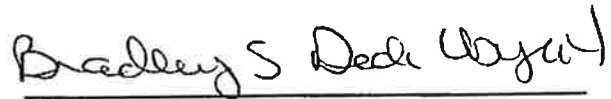
**MOTION FOR SUMMONS TO ISSUE ON PLAINTIFF'S FIRST  
PETITION FOR DAMAGES**

Comes now Plaintiff, by and through her attorney of record and requests that this  
Honorable Court issue its Summons for Plaintiff's First Amended Petition for Damages Directed  
to American Modern Select Insurance Company and serve Director of Insurance, Missouri  
Department of Insurance, 301 West High Street, Room 530, Jefferson City, Missouri 65101.

Respectfully Submitted,

BRADLEY S. DEDE, L.L.C.

By:



Bradley S. Dede, #36103  
Attorney for Petitioner  
7777 Carondelet, Suite 105  
Clayton, MO 63105  
314-725-9700  
314-725-5967 (fax)  
[bsdede@att.net](mailto:bsdede@att.net)



## IN THE 20TH JUDICIAL CIRCUIT COURT, FRANKLIN COUNTY, MISSOURI

Judge or Division: <b>Gael D. Wood</b>	Case Number: <b>14AB-CC00015</b>
Plaintiff/Petitioner: <b>JACKIE NICHOLAS</b>	Plaintiff's/Petitioner's Attorney/Address <b>BRADLEY S. DEDE</b> <b>222 S MERAMEC</b> <b>SUITE 205</b> <b>CLAYTON, MO 63105</b>
Defendant/Respondent: <b>AMERICAN MODERN INSURANCE CO</b>	Court Address: <b>401 EAST MAIN ST, RM 100A</b> <b>UNION, MO 63084</b>
Nature of Suit: <b>CC Chptr 536 State Agcy Rvw</b>	

RECEIVED

APR 24 2014

COLE COUNTY  
SHERIFF'S OFFICE

(Date File Stamp)

## ALIAS Summons in Civil Case

FILED

MAY 15 2014

The State of Missouri to: **AMERICAN MODERN INSURANCE CO**  
 Alias:  
**MISSOURI DEPARTMENT OF INSURANCE**  
**301 WEST HIGH STREET, ROOM 530**  
**JEFFERSON CITY, MO 65101**

COURT SEAL OF



FRANKLIN COUNTY

You are summoned to appear before this court and to file your pleading to the petition, which is attached, and to serve a copy of your pleading upon the attorney for Plaintiff/Petitioner at the above address all within 30 days after receiving this summons, exclusive of the day of service. If you fail to file your pleading, judgment by default may be taken against you for the relief demanded in the petition.

04-10-2014

Date

Bill D. Miller

Clerk

Further Information:

## Sheriff's or Server's Return

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☐ leaving a copy of the summons and a copy of the petition at the dwelling place or usual abode of the Defendant/Respondent with a person of the Defendant's/Respondent's family over the age of 15 years.

☒ (for service on a corporation) delivering a copy of the summons and a copy of the petition to K. LATTIMER (name) DEBILONES (title).

☐ other 301 W. HIGH (address)  
 Served at COLE (County/City of St. Louis), MO, on 4/25/14 (date) at 8:30 AM (time).  
 in CO WHITE  
 Printed Name of Sheriff or Server

Signature of Sheriff or Server

Must be sworn before a notary public if not served by an authorized officer:  
 Subscribed and sworn to before me on \_\_\_\_\_ (date).

(Seal)

My commission expires: \_\_\_\_\_

Date

Notary Public

## Sheriff's Fees

Summons \$ \_\_\_\_\_

Non Est \$ \_\_\_\_\_

Sheriff's Deputy Salary \$ \_\_\_\_\_

Supplemental Surcharge \$ 10.00

Mileage \$ \_\_\_\_\_

Total \$ \_\_\_\_\_

(\_\_\_\_\_ miles @ \$\_\_\_\_\_ per mile)  
 A copy of the summons and a copy of the petition must be served on each Defendant/Respondent. For methods of service on all classes of suits, see Supreme Court Rule 54.



## IN THE 20TH JUDICIAL CIRCUIT COURT, FRANKLIN COUNTY, MISSOURI

RECEIVED

APR 29 2014

COLE COUNTY  
SHERIFF'S OFFICE

FILED

(Date File Stamp)

MAY 15 2014

BILL D. MILLER, Circuit Clerk  
FRANKLIN COUNTY MISSOURI  
By \_\_\_\_\_ D.C.

Judge or Division: GAEL D. WOOD	Case Number: 14AB-CC00015
Plaintiff/Petitioner: JACKIE NICHOLAS	Plaintiff's/Petitioner's Attorney/Address BRADLEY S. DEDE 222 S MERAMEC SUITE 205 CLAYTON, MO 63105
Defendant/Respondent: AMERICAN MODERN INSURANCE CO	Court Address: 401 EAST MAIN ST, RM 100A UNION, MO 63084
Nature of Suit: CC Chpter 536 State Agcy Rvw	

ALIAS

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Alias:  
MISSOURI DEPARTMENT OF INSURANCE  
301 WEST HIGH STREET, ROOM 530  
JEFFERSON CITY, MO 65101

COURT SEAL OF



FRANKLIN COUNTY

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04-10-2014

Date

Bill D. Miller

Clerk

Further Information:

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☐ leaving a copy of the summons and a copy of the petition at the dwelling place or usual abode of the Defendant/Respondent with \_\_\_\_\_ a person of the Defendant's/Respondent's family over the age of 15 years.

☒ (for service on a corporation) delivering a copy of the summons and a copy of the petition to \_\_\_\_\_ (name) \_\_\_\_\_ (title).

☐ other \_\_\_\_\_ (address)  
 Served at 301 W. High (County/City of St. Louis), MO, on 4/30/14 (date) at 9:15 AM (time).  
 in COLE (County/City of St. Louis), MO, on 4/30/14 (date) at 9:15 AM (time).  
 G. W. HARRIS (County/City of St. Louis), MO, on 4/30/14 (date) at 9:15 AM (time).

Printed Name of Sheriff or Server

Signature of Sheriff or Server

Must be sworn before a notary public if not served by an authorized officer:

Subscribed and sworn to before me on \_\_\_\_\_ (date).

(Seal)

My commission expires: \_\_\_\_\_ Date \_\_\_\_\_ Notary Public

## Sheriff's Fees

Summons	\$ _____
Non Est	\$ _____
Sheriff's Deputy Salary	\$ 10.00
Supplemental Surcharge	\$ _____ (_____ miles @ \$._____ per mile)
Mileage	\$ _____
Total	\$ _____

A copy of the summons and a copy of the petition must be served on each Defendant/Respondent. For methods of service on all classes of suits, see Supreme Court Rule 54.



Jeremiah W. (Jay) Nixon  
Governor  
State of Missouri



Department of Insurance  
Financial Institutions  
and Professional Registration  
John M. Huff, Director

May 1, 2014

FILED

MAY - 5 2014

Bradley S. Dede  
222 S Meramec  
Suite 205  
Clayton, MO 63105

BILL D. MILLER, Circuit Clerk  
FRANKLIN COUNTY MISSOURI  
By \_\_\_\_\_ D C

**NOTICE OF REJECTION OF SERVICE**

Please find enclosed the summons petition and any accompanying documents or other pleadings, which were recently received by the Department of Insurance, Financial Institution and Professional Registration. These pleadings are being returned to you because:

- \_\_\_\_\_ Said material is not initial service of process and should be served directly upon the insurer. [20CSR 800-2.010 (7)].
- \_\_\_\_\_ The Department of Insurance does not accept subpoenas.
- XXX Name of the insurance company defendant in such pleading or documents is either incomplete or inaccurate, making proper service questionable. Therefore, you must advise the Court of the name of the specific company on which you want service.
- \_\_\_\_\_ Service papers must be delivered by the sheriff, the United States Marshal's Office, a person over the age 18 who is not a party of the action, or if mailed, it **MUST** have a completed Acknowledgment of Service by Mail and a postage page return envelope pursuant to **Supreme Court Rule 54-16**.
- \_\_\_\_\_ Service is attempted upon a Missouri insurance company. The Director of Insurance is not authorized under Missouri statutes to accept service of process for Missouri insurance companies. Proper service may be obtained by personally serving the president of the company.

The Department will endeavor to effect service of process pursuant to statute when the above defects are cured and the corrected documents are served on us.

Sincerely,

  
Kimberly Landers  
Paralegal

Enclosure: Jackie Nicholas v. American Modern Insurance Company  
Circuit Court of Franklin County, Case #14AB-CC00015

Cc: Circuit Court of Franklin County





## IN THE 20TH JUDICIAL CIRCUIT COURT, FRANKLIN COUNTY, MISSOURI

Judge or Division: GAEL D. WOOD	Case Number: 14AB-CC00015
Plaintiff/Petitioner: JACKIE NICHOLAS	Plaintiff's/Petitioner's Attorney/Address BRADLEY S. DEDE 222 S MERAMEC SUITE 205 CLAYTON, MO 63105
Defendant/Respondent: AMERICAN MODERN INSURANCE CO	Court Address: 401 EAST MAIN ST, RM 100A UNION, MO 63084
Nature of Suit: CC Chptr 536 State Agcy Rvw	(Date File Stamp)

ALIAS

## Summons in Civil Case

The State of Missouri to: AMERICAN MODERN INSURANCE CO

Alias:

MISSOURI DEPARTMENT OF INSURANCE  
301 WEST HIGH STREET, ROOM 530  
JEFFERSON CITY, MO 65101

COURT SEAL OF



FRANKLIN COUNTY

You are summoned to appear before this court and to file your pleading to the petition, a copy of which is attached, and to serve a copy of your pleading upon the attorney for Plaintiff/Petitioner at the above address all within 30 days after receiving this summons, exclusive of the day of service. If you fail to file your pleading, judgment by default may be taken against you for the relief demanded in the petition.

04-10-2014

Date

B. D. Miller

Clerk

Further Information:

## Sheriff's or Server's Return

Note to serving officer: Summons should be returned to the court within thirty days after the date of issue.

I certify that I have served the above summons by: (check one)

- ☐ delivering a copy of the summons and a copy of the petition to the Defendant/Respondent.  
☐ leaving a copy of the summons and a copy of the petition at the dwelling place or usual abode of the Defendant/Respondent with \_\_\_\_\_ a person of the Defendant's/Respondent's family over the age of 15 years.  
☐ (for service on a corporation) delivering a copy of the summons and a copy of the petition to \_\_\_\_\_

(name)

(title)

☐ other \_\_\_\_\_

Served at \_\_\_\_\_ (address)

in \_\_\_\_\_ (County/City of St. Louis), MO, on \_\_\_\_\_ (date) at \_\_\_\_\_ (time).

Printed Name of Sheriff or Server

Signature of Sheriff or Server

Must be sworn before a notary public if not served by an authorized officer:

Subscribed and sworn to before me on \_\_\_\_\_ (date).

(Seal)

My commission expires: \_\_\_\_\_

Date

Notary Public

## Sheriff's Fees

Summons

\$ \_\_\_\_\_

Non Est

\$ \_\_\_\_\_

Sheriff's Deputy Salary

Supplemental Surcharge

\$ 10.00

Mileage

\$ \_\_\_\_\_ (\_\_\_\_\_ miles @ \$.\_\_\_\_\_ per mile)

Total

\$ \_\_\_\_\_

A copy of the summons and a copy of the petition must be served on each Defendant/Respondent. For methods of service on all classes of suits, see Supreme Court Rule 54.

IN THE CIRCUIT COURT OF THE COUNTY OF FRANKLIN  
STATE OF MISSOURI

JACKIE NICHOLAS,

Plaintiff,

**Vs.**

AMERICAN MODERN INSURANCE CO

Defendant.

Case No. 14AB-CC00015

Division No.

## REQUEST FOR PLURIES SUMMONS

Comes now Plaintiff, by and through her attorney, and requests that this Honorable Court issue an Order for the issuance of a Pluries Summons due to a defect in the Summons page.

Respectfully Submitted,

BRADLEY S. DEDE, L.L.C.

By:

Bradley's Red Oxen

Bradley S. Dede, #36103

Attorney for Plaintiff

222 S. Meramec, Suite 205

Clayton, MO 63105

314-725-9700

314-725-5967 (fax)

bsdcde@att.net



## IN THE 20TH JUDICIAL CIRCUIT COURT, FRANKLIN COUNTY, MISSOURI

Judge or Division: GAEL D. WOOD	Case Number: 14AB-CC00015
Plaintiff/Petitioner: JACKIE NICHOLAS	Plaintiff's/Petitioner's Attorney/Address BRADLEY S. DEDE 222 S MERAMEC SUITE 205 CLAYTON, MO 63105
Defendant/Respondent: AMERICAN MODERN INSURANCE CO	Court Address: 401 EAST MAIN ST, RM 100A UNION, MO 63084
Nature of Suit: CC Chptr 536 State Agcy Rvw	

## Summons in Civil Case

**RECEIVED**  
APR 03 2014  
COLE COUNTY  
SHERIFF'S OFFICE

The State of Missouri to: AMERICAN MODERN INSURANCE CO

Alias:  
MISSOURI DEPARTMENT OF INSURANCE  
301 WEST HIGH STREET, ROOM 530  
JEFFERSON CITY, MO 65101

COURT SEAL OF



FRANKLIN COUNTY

You are summoned to appear before this court and to file your pleading to the petition, a copy of which is attached, and to serve a copy of your pleading upon the attorney for Plaintiff/Petitioner at the above address all within 30 days after receiving this summons, exclusive of the day of service. If you fail to file your pleading, judgment by default may be taken against you for the relief demanded in the petition.

Date

Clerk

Further Information:

## Sheriff's or Server's Return

Note to serving officer: Summons should be returned to the court within thirty days after the date of issue.

I certify that I have served the above summons by: (check one)

- ☐ delivering a copy of the summons and a copy of the petition to the Defendant/Respondent.  
☐ leaving a copy of the summons and a copy of the petition at the dwelling place or usual abode of the Defendant/Respondent with a person of the Defendant's/Respondent's family over the age of 15 years.  
☐ (for service on a corporation) delivering a copy of the summons and a copy of the petition to \_\_\_\_\_ (name) \_\_\_\_\_ (title).

☐ other \_\_\_\_\_ (address)

Served at \_\_\_\_\_ (address)  
 in \_\_\_\_\_ (County/City of St. Louis), MO, on \_\_\_\_\_ (date) at \_\_\_\_\_ (time).

Printed Name of Sheriff or Server

Signature of Sheriff or Server

Must be sworn before a notary public if not served by an authorized officer:

(Seal)

Subscribed and sworn to before me on \_\_\_\_\_ (date).

My commission expires: \_\_\_\_\_

Date

Notary Public

## Sheriff's Fees

Summons \$ \_\_\_\_\_  
 Non Est \$ \_\_\_\_\_  
 Sheriff's Deputy Salary  
 Supplemental Surcharge \$ 10.00  
 Mileage \$ \_\_\_\_\_ ( \_\_\_\_\_ miles @ \$ \_\_\_\_\_ per mile)  
**Total** \$ \_\_\_\_\_

A copy of the summons and a copy of the petition must be served on each Defendant/Respondent. For methods of service on all classes of suits, see Supreme Court Rule 54.

GREG B WHITE  
SHERIFF OF COLE COUNTY  
P.O. BOX 426  
JEFFERSON CITY, MISSOURI 65102  
Phone: 573-634-9163  
Fax: 573-635-0069

FILED

APR - 7 2014

BILL D. MILLER, Circuit Clerk  
FRANKLIN COUNTY MISSOURI  
By \_\_\_\_\_ D.C.

To: Franklin Co Circuit Court

Case No: 14AB-CC.00015

Your document was received at Cole County Sheriff's Department on 4/3/14 and is being returned NOT SERVED for the following reason(s):

\_\_\_\_ Document was received with insufficient time for service. Summons expires 30 days from date of issue and/or must be served 10 days prior to the court date. Also enclosed check # \_\_\_\_\_.

\_\_\_\_ Document was received after the court date. Please remit with a new court date. Also enclosed check # \_\_\_\_\_.

\_\_\_\_ Payment of service fees required prior to service. Please remit your papers with a check or money order made payable to Sheriff of Cole County in the amount of \$ \_\_\_\_\_.

\_\_\_\_ Service address is NOT in Cole Co. Also enclosed check # \_\_\_\_\_.

☒ Document must have signature and <sup>date</sup> ~~seal~~ of the court. Also enclosed check# 1417.

\_\_\_\_ Name of registered agent and service address must be on document. Also enclosed check # \_\_\_\_\_.

\_\_\_\_ A physical address must be on the document for proper service. Also enclosed check # \_\_\_\_\_.

☒ Other: please send everything back.

Thank you,

Greg B. White, Sheriff  
Cole County, Missouri

By

Kayla



## IN THE 20TH JUDICIAL CIRCUIT COURT, FRANKLIN COUNTY, MISSOURI

Judge or Division: GAEL D. WOOD	Case Number: 14AB-CC00015
Plaintiff/Petitioner: JACKIE NICHOLAS	Plaintiff's/Petitioner's Attorney/Address BRADLEY S. DEDE 222 S MERAMEC SUITE 205 CLAYTON, MO 63105
Defendant/Respondent: AMERICAN MODERN INSURANCE CO	Court Address: 401 EAST MAIN ST, RM 100A UNION, MO 63084
Nature of Suit: CC Chptr 536 State Agcy Rvw	(Date File Stamp)

## ALIAS Summons in Civil Case

The State of Missouri to: AMERICAN MODERN INSURANCE CO

Alias:

MISSOURI DEPARTMENT OF INSURANCE  
301 WEST HIGH STREET, ROOM 530  
JEFFERSON CITY, MO 65101

COURT SEAL OF



FRANKLIN COUNTY

You are summoned to appear before this court and to file your pleading to the petition, a copy of which is attached, and to serve a copy of your pleading upon the attorney for Plaintiff/Petitioner at the above address all within 30 days after receiving this summons, exclusive of the day of service. If you fail to file your pleading, judgment by default may be taken against you for the relief demanded in the petition.

03-18-2014

Date

B. D. Miller

Clerk

Further Information:

## Sheriff's or Server's Return

Note to serving officer: Summons should be returned to the court within thirty days after the date of issue.

I certify that I have served the above summons by: (check one)

- ☐ delivering a copy of the summons and a copy of the petition to the Defendant/Respondent.  
☐ leaving a copy of the summons and a copy of the petition at the dwelling place or usual abode of the Defendant/Respondent with \_\_\_\_\_ a person of the Defendant's/Respondent's family over the age of 15 years.  
☐ (for service on a corporation) delivering a copy of the summons and a copy of the petition to \_\_\_\_\_

(name) \_\_\_\_\_ (title).

☐ other \_\_\_\_\_

Served at \_\_\_\_\_ (address)

in \_\_\_\_\_ (County/City of St. Louis), MO, on \_\_\_\_\_ (date) at \_\_\_\_\_ (time).

Printed Name of Sheriff or Server

Signature of Sheriff or Server

Must be sworn before a notary public if not served by an authorized officer:

Subscribed and sworn to before me on \_\_\_\_\_ (date).

(Seal)

My commission expires: \_\_\_\_\_

Date

Notary Public

## Sheriff's Fees

Summons \$ \_\_\_\_\_  
 Non Est \$ \_\_\_\_\_  
 Sheriff's Deputy Salary \$ \_\_\_\_\_  
 Supplemental Surcharge \$ 10.00  
 Mileage \$ \_\_\_\_\_ (\_\_\_\_\_ miles @ \$.\_\_\_\_\_ per mile)  
 Total \$ \_\_\_\_\_

A copy of the summons and a copy of the petition must be served on each Defendant/Respondent. For methods of service on all classes of suits, see Supreme Court Rule 54.



IN THE CIRCUIT COURT OF THE COUNTY OF FRANKLIN  
STATE OF MISSOURI

JACKIE NICHOLAS,

Petitioner,

**Vs.**

AMERICAN MODERN INSURANCE,

Respondent.

Case No. 14AB-CC00015

Division No. 1

### REQUEST FOR ALIAS SUMMONS

Comes now Petitioner and requests an alias summons be issued in that the original summons has expired.

Respectfully Submitted,

BRADLEY S. DEDE, L.L.C.

By:

Bradley's Deed (Copy)

Bradley S. Dede, #36103  
Attorney for Petitioner  
222 S. Meramec, Suite 205  
Clayton, MO 63105  
314-725-9700  
314-725-5967 (fax)  
[bsdede@att.net](mailto:bsdede@att.net)



## IN THE 20TH JUDICIAL CIRCUIT COURT, FRANKLIN COUNTY, MISSOURI

Judge or Division: GAEL D. WOOD	Case Number: 14AB-CC00015
Plaintiff/Petitioner: JACKIE NICHOLAS	Plaintiff's/Petitioner's Attorney/Address BRADLEY S. DEDE 222 S MERAMEC SUITE 205 CLAYTON, MO 63105
Defendant/Respondent: AMERICAN MODERN INSURANCE CO	Court Address: 401 EAST MAIN ST, RM 100A UNION, MO 63084
Nature of Suit: CC Chptr 536 State Agcy Rvw	(Date File Stamp)

## Summons in Civil Case

The State of Missouri to: AMERICAN MODERN INSURANCE CO

Alias:

MISSOURI DEPARTMENT OF INSURANCE  
301 WEST HIGH STREET, ROOM 530  
JEFFERSON CITY, MO 65101

COURT SEAL OF



FRANKLIN COUNTY

You are summoned to appear before this court and to file your pleading to the petition, a copy of which is attached, and to serve a copy of your pleading upon the attorney for Plaintiff/Petitioner at the above address all within 30 days after receiving this summons, exclusive of the day of service. If you fail to file your pleading, judgment by default may be taken against you for the relief demanded in the petition.

January 24, 2014

Date

Clerk

Further Information:

## Sheriff's or Server's Return

Note to serving officer: Summons should be returned to the court within thirty days after the date of issue.

I certify that I have served the above summons by: (check one)

- ☐ delivering a copy of the summons and a copy of the petition to the Defendant/Respondent.  
☐ leaving a copy of the summons and a copy of the petition at the dwelling place or usual abode of the Defendant/Respondent with \_\_\_\_\_ a person of the Defendant's/Respondent's family over the age of 15 years.  
☐ (for service on a corporation) delivering a copy of the summons and a copy of the petition to \_\_\_\_\_

(name) \_\_\_\_\_ (title).

☐ other \_\_\_\_\_

Served at \_\_\_\_\_ (address)

in \_\_\_\_\_ (County/City of St. Louis), MO, on \_\_\_\_\_ (date) at \_\_\_\_\_ (time).

Printed Name of Sheriff or Server

Signature of Sheriff or Server

Must be sworn before a notary public if not served by an authorized officer:

Subscribed and sworn to before me on \_\_\_\_\_ (date).

(Seal)

My commission expires: \_\_\_\_\_

Date

Notary Public

## Sheriff's Fees

Summons

\$ \_\_\_\_\_

Non Est

\$ \_\_\_\_\_

Sheriff's Deputy Salary

Supplemental Surcharge

\$ 10.00

Mileage

\$ \_\_\_\_\_ (\_\_\_\_\_ miles @ \$\_\_\_\_\_ per mile)

Total

\$ \_\_\_\_\_

A copy of the summons and a copy of the petition must be served on each Defendant/Respondent. For methods of service on all classes of suits, see Supreme Court Rule 54.

=====

CASE INFORMATION

=====

DATE: 1/23/14  
COURT LOCATION: Franklin County - Circuit Court  
CASE TYPE: IA - Chapter 536 State Agency Review  
CASE STYLE: JACKIE NICHOLAS V. AMERICAN MODERN INSURANCE CO

=====

PARTY INFORMATION

=====

PARTY TYPE: PLT - Plaintiff  
SSN: 630-33-4488  
FIRST NAME: JACKIE  
MIDDLE NAME:  
LAST NAME: NICHOLAS  
SUFFIX:  
GENDER: FEMALE  
DOB: 10/4/1943  
EMAIL:  
PHONE:  
ADDRESS:  
150 ECHO VALLEY ROAD  
UNION, Missouri 63084  
ATTORNEY: 36103 - BRADLEY S. DEDE

-----

PARTY TYPE: DFT - Defendant  
EIN:  
ORGANIZATION: AMERICAN MODERN INSURANCE CO  
EMAIL:  
PHONE:  
ADDRESS:  
MISSOURI DEPARTMENT OF INSURAN  
301 WEST HIGH STREET, ROOM 530  
JEFFERSON CITY, Missouri 65101

=====

SUBMITTER INFORMATION

=====

SUBMITTED BY: 36103 - Bradley S. Dede  
PHONE: (314) 725-9700  
EMAIL: bsdede@att.net  
ADDRESS:  
Brad Dede  
Suite 205  
222 S. Meramec Ave  
Saint Louis, Missouri 63105-3514  
United States

IN THE CIRCUIT COURT OF THE COUNTY OF FRANKLIN  
STATE OF MISSOURI

JACKIE NICHOLAS,	)	
	)	
Plaintiff,	)	
	)	Case No.
vs.	)	
	)	Division No.
AMERICAN MODERN INSURANCE CO	)	
	)	
SERVE:	)	
Director of Insurance	)	
Missouri Department of Insurance	)	
301 West High Street, Room 530	)	
Jefferson City, MO 65101	)	
	)	
Defendant.	)	

**PLAINTIFF'S PETITION FOR DAMAGES**

Comes now Plaintiff, Jackie Nicholas, by and through her attorney of record and for her cause of action against Defendant, states and alleges and otherwise avers as follows:

1. Plaintiff is a resident of Franklin County, State of Missouri.
2. Defendant, Modern Standard Insurance Company, is an insurance company doing business and is good standing in the State of Missouri which can be served with process as referenced above with the Missouri Department of Insurance.
3. Jurisdiction and venue are proper in this court in that the facts claimed herein and are the subject of this litigation occurred in Franklin County, State of Missouri and the amount in controversy exceeds Twenty Five Thousand Dollars (\$25,000.00).

**COUNT I – BREACH OF CONTRACT**

Comes now Plaintiff by and through her attorney of record and for Count I on her claim for breach of contract states as follows:

4. Plaintiff hereby incorporates by reference each paragraph previously plead as if plead herein.

5. Plaintiff purchased a homeowner's insurance policy from Defendant insurance policy number 0047062965 for homeowner's coverage. That said policy was in effect from October 6, 2011 to October 6, 2012.

6. As such, the policy was in full force and effect on the date of the damages incurred by Plaintiff herein.

7. On Saturday, March 17, 2012, Plaintiff's property incurred severe hail storm damage to her vehicle and house.

8. That according to the terms of policy an adjuster would be dispatched by the insurance company to determine the nature and extent of the damages.

9. That no adjuster was timely dispatched to Plaintiff's property.

10. That several days lapsed until an adjuster and a roofer came to the property.

11. That the roofer as agent for the Defendant herein did not protect the roof and residence against further damage.

12. That weeks passed without proper attention by Defendant to the damages incurred by Plaintiff; the failure to fix the property damaged, resulting in further damage.

13. That during the time of the initial damage and the negligent and improper repair of the property, further storms occurred which was foreseeable and Plaintiff's property further sustained rain, wind, water, and storm damage which resulted in both damage to the interior and exterior including but not limited to floor, wall, ceiling, carpet, mold, odors, joists, studs, rafters, paint, sheet rock, items of furniture and other personal property.



14. That Plaintiff made numerous attempts to contact the insurance company and no response or repair was forthcoming.

15. All conditions precedent to the liability of Defendant under Plaintiff's policy had been met.

16. Plaintiff is legally owed benefits under her policy for the damages.

17. Defendant insurance company has breached its contract with the Plaintiff and is legally liable for the damages in this lawsuit.

18. That Plaintiff has made numerous attempts to demand a settlement for her claim under the provisions of the policy and Defendant refuses to perform under the contract.

19. That as a direct and proximate result of that breach, Plaintiff has been damaged in excess of Two Hundred Thousand Dollars (\$200,000.00).

Wherefore, Plaintiff prays for judgment against the Defendant insurance company for all amounts owed to her under the contract for insurance between the parties, in an exact amount for all her damages from the failure and breach of the contract that remain uncompensated and for such other and further relief as the court deems just and proper under the circumstances.

#### **COUNT II – VEXATIOUS REFUSAL TO PAY THE CLAIM**

Comes now Plaintiff, by and through her attorney of record and for Count II of Plaintiff's Petition for Damages against Defendant insurance company hereby states, alleges and otherwise avers as follows:

20. Plaintiff incorporates by reference each and every previously plead paragraph as if plead herein.

21. That Plaintiff issued a formal demand under the policy for the damages herein previously referred.

22. That Defendant insurance company has failed to make payments under and in accordance with the terms of the contract by Plaintiff.

23. Defendant insurance company's refusal to pay the loss incurred is without reasonable cause or excuse.

24. That Defendant's refusal to adjust and restore the damages under the policy is without excuse.

25. That pursuant to RSMo. §357.420 Plaintiff is entitled to in addition to all damages associated with Count I, twenty percent (20%) of the first Fifteen Hundred Dollars (\$1,500.00) of loss and ten percent (10%) of all losses greater than Fifteen Hundred Dollars (\$1,500.00) as well as Plaintiff's attorney's fees.

26. As a direct and proximately result of Defendant insurance company's refusal, Plaintiff is entitled to the additional damages in the amount of One Hundred Thousand Dollars (\$100,000.00).

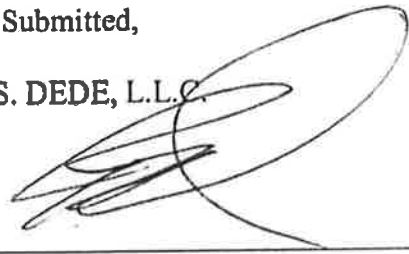
Wherefore, as a result of the above, Plaintiff prays for judgment against Defendant insurance company in the amount of One Hundred Thousand Dollars (\$100,000.00) pursuant to RSMo. §357.420 and for such other further relief that this Court deems just and proper in the premises.

#### **DEMAND FOR JURY TRIAL**

27. Plaintiff demands a jury trial on all Counts of her petition for damages.

Respectfully Submitted,

BRADLEY S. DEDE, L.L.C.

A handwritten signature in black ink, appearing to read 'Bradley S. Dede', is written over a horizontal line.

By:

Bradley S. Dede, #36103  
Attorney for Petitioner  
222 S. Meramec, Suite 205  
Clayton, MO 63105  
314-725-9700  
314-725-5967 (fax)  
bsdede@att.net